

ESTTA Tracking number: **ESTTA702378**

Filing date: **10/14/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054171
Party	Plaintiff Valeritas, Inc.
Correspondence Address	SHERI S MASON MORSE BARNES-BROWN & PENDLETON 230 3RD AVE FL 4 WALTHAM, MA 02451 UNITED STATES smason@mbbp.com, ttab@mbbp.com, tdunn@mbbp.com, scon- nolly@mbbp.com, gkrakau@mbbp.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Thomas F. Dunn
Filer's e-mail	tdunn@mbbp.com, ttab@mbbp.com
Signature	/Thomas F. Dunn/
Date	10/14/2015
Attachments	VALTM-ADV001 - Joint Motion for 30-day Extension of Time (M0845099xB1386).pdf(146968 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Valeritas, Inc.,)	In the matter of U.S. Reg. No. 3,895,432
)	
Petitioner,)	For the Mark: VGO
)	
v.)	Filing Date: March 2, 2010
)	
VGo Communications, Inc.)	Registration Date: December 21, 2010
)	
Registrant.)	Cancellation No.: 92054171

JOINT MOTION FOR A 30-DAY EXTENSION OF TIME

Plaintiff's Testimony period is currently set to close on 11/14/2015. Petitioner and Registrant jointly request that such date be extended for 30 days, or until 12/14/2015, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	CLOSED
Discovery Closes :	CLOSED
Plaintiff's Pretrial Disclosures :	CLOSED
Plaintiff's 30-day Trial Period Ends :	12/14/2015
Defendant's Pretrial Disclosures :	12/29/2015
Defendant's 30-day Trial Period Ends :	2/15/2016
Plaintiff's Rebuttal Disclosures :	3/7/2016
Plaintiff's 15-day Rebuttal Period Ends :	3/31/2016

The grounds for this request are as follows:

- *Registrant was recently acquired by another company*
- *Parties have made significant progress in settlement discussions and anticipate that they may be able to reach agreement within 30 days.*

So that any order on this motion may be issued electronically by the Board, Petitioner's e-mail address is tdunn@mbbp.com and Registrant's is abrunett@vecna.com.

8TH REPORT ON SETTLEMENT PROGRESS

Registrant has indicated it will send Petitioner proposed revisions to the draft settlement agreement within the next few days. Petitioner will then review the proposed revisions. Accordingly, the parties respectfully request that the Board enter a 30 day extension of time as soon as possible. Proceeding with Petitioner's Trial Period at this time would waste the time and resources of the parties and the Board, and interfere with the parties' efforts to resolve this matter quickly.

Issues that have been resolved.

As stated in Petitioner's previous reports, the parties agreed in principle to resolve this dispute by entering into a co-existence agreement by which the Registrant agreed to revise its logo design, which is implicated in this proceeding because the specimen of use submitted by Registrant displays the logo design on the product. As stated in Petitioner's previous reports, an agreement is being finalized by the parties and given Registrant's new ownership, a final agreement appears likely.

Issues that remain to be resolved.

The parties are currently negotiating the remaining terms of the co-existence agreement.

A firm timetable for resolution.

Barring any extraordinary issues, the parties intend to resolve this matter by November 14, 2015.

Respectfully Submitted,

Dated: October 14, 2015

VALERITAS, INC.

By: 

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VGO COMMUNICATIONS, INC.

By: 

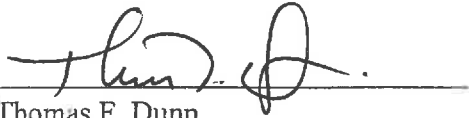
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CERTIFICATE OF SERVICE

I, Thomas F. Dunn, certify that a copy of the foregoing JOINT MOTION FOR A 30-DAY EXTENSION OF TIME and 8TH REPORT ON SETTLEMENT PROGRESS was served on:

Albert J. Brunett
Michael Bearman
Vecna Technologies, Inc.
36 Cambridgepark Drive
Cambridge, MA 02140

by mail and email this 14th day of October, 2015.

A handwritten signature in black ink, appearing to read 'Thom F. Dunn', is written over a horizontal line.

Thomas F. Dunn
Counsel for Valeritas, Inc.